

**Selectmen's Meeting Minutes
Tuesday, February 22, 2005**

Present: Selectmen Maxfield, Kardaseski, and Bowles.

Also present: Police Chief, Code Enforcement/Compliance Officer Bob Fiske, Fire Chief Jeff Burr and Road Agent David Rice.

Chairman Maxfield called the meeting to order at 6:30 PM.

- I. Selectman Kardaseski moved to approve the Selectmen's Meeting Minutes of Tuesday, February 9, 2005 as presented. Seconded by Selectman Maxfield. Majority vote in favor. Motion carried. Selectman Bowles abstained as he was not present at that meeting. Selectman Bowles moved to approve the Selectmen's Meeting Minutes of Tuesday, February 15, 2002 as presented. Seconded by Selectman Maxfield. Majority vote in favor. Motion carried. Selectman Kardaseski abstained as she was not present at that meeting.

- II. The Board met with Police Chief, Code Enforcement/Compliance Officer Bob Fiske.
 - a. Mr. Fiske advised the Board he had seen an advertisement for the State Auction to be this spring.
 - b. Mr. Fiske presented information to the Board regarding the mobile home removed from Scotch Pine Mobile Home Park and placed on the Hollow Route Road property during the night.
 - c. Mr. Fiske provided the Board with information from the new owner of Kenelm Doak's property on Route 129. The new owner wants to build a new house onto the existing structure and convert the existing house into a farm/vegetable stand. Mr. Fiske suggested no Certificate of Occupancy be issued until the property owner makes the existing building uninhabitable. The Board met with Earl Tuson, the new owner of this property. He explained he would not need to have sleeping quarters or a full kitchen in the existing portion of the building; however, he would like to leave the bathroom facility. Selectman Bowles explained about the requirement of a bond during the construction/renovation process. Mr. Tuson stated he plans to build the new house in two phases. The Board asked Mr. Tuson to provide a timeline of construction, as well as his intention for the current building. Mr. Tuson will meet again with the Board with his information.
 - d. Chairman Maxfield stated for the record one pistol permit was submitted for signature and approval.

- III. Chairman Maxfield asked Jim Tranfaglia and his wife Deanna to come to the front of the room. Chairman Maxfield presented Mr. Tranfaglia with a desk set and thanked him for his 13 years of dedicated service to the Town of Loudon's Emergency Management program.
- IV. The Board met with Road Agent David Rice.
 - a. Mr. Rice stated due to breakdowns with three of the plow trucks, there were only two trucks working on Monday during the snowstorm. He stated all the trucks were back and operational Monday afternoon.
 - b. Selectman Kardaseski asked about a stop sign at the end of Range Road. Mr. Rice stated this would have already been addressed if it were not for all the snow. He will take care of this as soon as possible.
 - c. Selectman Kardaseski discussed a letter from Pauline Touzin regarding water flow. Mr. Rice stated they might have to install a catch basin to stop the dirt but they cannot stop the water. Mr. Rice advised this would be addressed as soon as possible.
- V. The Board began their review of weekly correspondence.
 - a. The Board reviewed the weekly expenditure report and discussed the bottom line figures.
 - b. The Board was reminded of the Building Study Committee meeting scheduled for Friday, February 25, 2005 at 8:00 AM to review for Town Meeting.
 - c. Chairman Maxfield stated the Hazard Mitigation Committee would be meeting on Monday, February 28, 2005 at 9:00 AM.
 - d. The Board reviewed a petition to layout a road from Gaitan Baillargeon. Mr. Baillargeon's property on Tax Map #005, Lot #004 and Map #014, Lot #002, is landlocked. He was previously allowed access to his property from the abutting property. Recently Mr. Baillargeon has been denied access to his land and has approached the Selectmen for their assistance in this matter. Chairman Maxfield stated he had spoken with Town Counsel regarding this issue and the law allows Mr. Baillargeon access to his property by RSA 231:40 – 42 to remove lumber, wood or other material from their landlocked property. Chairman Maxfield stated the land Mr. Baillargeon is asking to pass over is Susan Bourdeau's property on Tax Map #004, Lot #009 and #010. The Board agreed to hold a public hearing with Mr. Baillargeon being responsible for the costs associated with the public hearing.
 - e. The Board discussed Tax Map #001, Lot #004. The new owners of this property have not gone before the Planning Board regarding the gravel pit. The reclamation bond for the former owner has not been renewed and the only bond in place at this time is for Ken Berwick. Planning Board Secretary Tammy Davis will contact the new owners regarding the 155-E permit, as well as reclamation bond issues for this property. Bob Fiske will be notified to check for any signs of excavation. Selectman Bowles discussed the fact that the reclamation

bond has been cancelled; however, there is still a large hole that has not been reclaimed. Discussion ensued. Chairman Maxfield will contact Town Counsel regarding this issue.

- f. The Board discussed the site work at Pleasant View Gardens on Pleasant Street.
- g. The Board discussed a past due prosecution amount for the city of Concord. The Board agreed to pay the invoice. Selectman Kardaseski stated she wanted to be sure there had been no late fees charged as it was not Loudon's fault – Concord had invoiced the wrong amount.
- h. The Board received a letter from the Loudon Conservation Commission regarding Henry Huntington's proposed dam.
- i. The Board reviewed eight current use lien release penalties. The Board agreed to have the paperwork processed for all eight current use penalties.
- j. The Board received the 4th quarter HCF from ESMI in the amount of \$26,029.54.
- k. Selectman Kardaseski moved to authorize the Chairman to sign the application for a supplemental plate for sale of vehicles for Loudon Garage, LLC. For the lack of a second, the motion failed. Discussion ensued regarding what Mr. Smith has been approved for. The Selectmen will have Bob Fiske research this issue before the application is approved.
- l. Selectman Kardaseski moved to authorize the Chairman to sign the notice of appointment to CNHRPC Regional Resource Conservation Committee from the Town of Loudon the following representatives: Julie Robinson, Bob Butler, and Colin Cabot. Seconded by Selectman Bowles. All in favor. Motion carried.
- m. Chairman Maxfield stated Town Clerk Terry Hamel had contacted him regarding Warrant Article #9 regarding her feeling that this article is out of order. Mrs. Hamel discussed an article in *Knowing the Territory* regarding how much authority the Selectmen have over elected officials. The Board agreed that this Warrant Article has already been reviewed by Town Counsel and plan to move forward with this Warrant Article as it has already been reviewed and approved by Town Counsel. Selectman Kardaseski read a portion of the article from *Knowing the Territory*.
- n. The Selectmen discussed the reclamation bond for Ralph Langevin again. The Board agreed to advise the insurance company the Town does not agree to cancel the bond for Mr. Langevin.
- o. Tom McCue was recognized from the audience. Mr. McCue discussed the Selectmen's Meeting Minutes of Tuesday, February 15, 2005, page 2, IV-c. He stated his original concern with the Warrant Article regarding the disability exemption was that Title II of the Social Security Act covers both retirement benefits as well as disability benefits. Mr. McCue said his concern was that people collecting retirement benefits would try to get the exemption. He also stated

there are circumstances where people can collect both Title II and Title XVI. Chairman Maxfield stated the law states only one exemption is allowed; whichever is higher can be collected. Mr. McCue discussed Title II and Title XVI and stated he felt the Warrant Article does not clarify this was for disabled property owners and not the retirees. Selectman Bowles stated this Warrant Article was to increase the amount of the exemption and to amend the income amounts from the original exemption. The Board agreed this was the same wording as the original exemption for the disabled.

- p. Tim Barton inquired about the Highway Department budget and overtime hours. Discussion ensued regarding if the Highway Department personnel were to work a lot of hours during the first part of the week, were they sent home on days that were not stormy or busy to keep the overtime hours down. The Board stated there is an overtime budget and as long as the overtime budget was not overspent, they did not see a problem. Selectman Bowles stated there have been times where some of the Highway personnel have gone home when things were calm, which helps keep the overtime hours down.

Selectman Bowles moved to adjourn the meeting at 8:10 PM. Seconded by Selectman Kardaseski. All in favor. Meeting adjourned.

THE LOUDON BOARD OF SELECTMEN

Roger A. Maxfield, Chairman

Deborah A. Kardaseski, Selectman

Dustin J. Bowles, Selectman